

July 19, 2019

VIA CM/ECF

Hon. Kimba M. Wood
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Rm. 1610
New York, NY 10007

Re: *ACLU, et al. v. National Security Agency, et al.*,
Nos. 13-cv-9198 (KMW) (S.D.N.Y.), 17-3399 (2d Cir.)

Dear Judge Wood,

I write respectfully to request that, following the Second Circuit's anticipated issuance of the mandate in the above-captioned FOIA matter, this Court retain jurisdiction over the litigation to entertain any potential forthcoming settlement or motion regarding Plaintiffs' asserted entitlement to attorneys' fees. Defendants consent to this request while reserving their rights to defend any fee request on any and all grounds. We anticipate that the mandate will issue Monday, July 22. The parties intend to discuss Plaintiffs' fee request, and request leave to report to the Court on or before September 20, 2019, concerning a possible fee application or agreement.

Respectfully submitted,

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